

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**INFORMAL SESSION  
August 20, 2007**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., August 20, 2007 in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2; Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**APPOINTMENT OF JUSTICE OF THE PEACE**

Item: Supervisor Wilcox remembered and recognized Judge Pamela Gutierrez, who served three terms as Justice of the Peace for the South Phoenix Justice Precinct and had recently passed away. Supervisor Wilcox explained that Judge Gutierrez's passing created a vacancy in the South Phoenix Justice Court. She said there had been a number of candidates for the position but she was pleased to recommend Cody Williams because he has experience serving on the Phoenix City Council, is very familiar with the community, and has committed to creating a Teen Court.

A motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the appointment of Cody Williams as Justice of the Peace for the South Phoenix Justice Precinct. (ADM1200-001)

[Clerk's Note: (This is not an official part of the Minutes.) The Board took action on December 7, 2005, to change the name of the Justice Court from South Phoenix to South Mountain. Mr. Williams' Oath of Office is on file in the Clerk of the Board's office and reflects his appointment as Justice of the Peace for the South Mountain Justice Precinct.]

Mr. Williams articulated that this was a bittersweet recognition in that he considered Judge Gutierrez to be a friend and was saddened by her passing. He thanked his family, friends and the Board for their support.

~ Supervisor Wilcox left the meeting ~

**MARICOPA COUNTY PRIMARY TAX RATE AND FLOOD CONTROL DISTRICT SECONDARY TAX RATE**

Item: Staff presented and discussed the impact of the Board of Supervisors' property tax policies and related future issues. (C4908009800) (ADM4009)

Sandi Wilson, Deputy County Manager  
LeeAnn Bohn, Deputy Budget Director  
Christopher Bradley, Deputy Budget Director  
Brian Hushek, Deputy Budget Director

Sandi Wilson reported that there had been no change since the adoption of the budget in June. She said the combined rate of \$1.2970 is the lowest it has been in 28 years. Ms. Wilson reviewed a slide that compared Maricopa property tax rates with other Arizona counties and Maricopa's rate was the lowest. Ms. Wilson explained that some of the reasons that Maricopa County has been able to keep tax rates low is how the County deals with debt, such as:

- Maricopa County eliminated its property tax for debt service two years ago
- The County does not use debt services taxes as an "escape valve" for its operating budget

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- The County does not fund items like major maintenance, vehicle and equipment replacements, computer systems, facilities for private, non-profit organizations or for economic development from property tax supported bonds
- Capital needs are met through pay-as-you-go financing within the primary property tax limit

Another way the County has kept tax rates low is by continuing the practice of a self-imposed limit on secondary taxes for the Flood Control and Library Districts. This policy limits District tax levies in the same way as the County primary property tax, which is no more than two percent increase on current properties plus new construction.

**~ Supervisor Wilcox returned to the meeting ~**

Chris Bradley expressed concern at the County's overall revenue picture. State shared sales tax, which is the County's largest single source of funding and accounts for 42 percent of General Fund revenues in fiscal year 2007-08, has diminished significantly. Mr. Bradley said the General Fund revenue was \$20.9 million over budget in fiscal year 2006-07, but those revenues were entirely due to non-recurring interest earnings on funds set aside for capital projects. He said the budget had been crafted around the most pessimistic forecast at the time, which assumed only about three percent revenue growth, but current data indicates that growth may be even lower than that.

Mr. Bradley offered some suggestions for property tax reform options, as follows:

- Restrict the kinds of items that can be funded by tax-supported bonds in order to eliminate their use as an "escape valve" for the primary levy limit
- Adopt levy limits on special district levies for operating purposes (as Maricopa County has done for Library and Flood Control)
- Make limited cash values the basis for all property taxes, not just primary property taxes
- Adjust limited cash value to better protect individual taxpayers when the annual market appreciation of their property is well in excess of the average

Mr. Bradley cautioned the Board about several voter initiatives regarding property tax reform that could negatively impact the County. The proposed initiatives could create inequities between taxpayers who stay in the same home and those who have recently purchased their homes, as well as discouraging home sales. These initiatives might also create funding problems for education and local government.

Supervisor Stapley expressed concern that excess Flood Control District properties have not been sold. He requested that Mr. Smith and Ms. Wilson work with Tim Phillips at Flood Control to develop a plan to prepare those properties for sale. Supervisor Wilcox also expressed concern about Flood Control properties and suggested that more discussion was needed. Supervisor Wilson stated that efforts were underway to make a large parcel of Flood Control property in his District developable. Chairman Brock commented it might not always be wise to sell and that properties needed to be reviewed on a case-by-case basis.

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to resolve that:

Pursuant to A.R.S. §§42-17151 and 48-3620, and based on the budget it has duly adopted for Maricopa County and the budget adopted by the Maricopa County Flood Control District Board of Directors, the

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Board fixes and determines the Tax Year 2007 tax rates for Maricopa County and the Maricopa County Flood Control District as follows:

- Fiscal Year 2007-08 Maricopa County Primary Tax Rate at \$1.1046 /\$100 of assessed valuation with a levy of \$430,023,735.
- Fiscal Year 2007-08 Flood Control District Secondary Tax Rate at \$0.1533/\$100 of assessed valuation with a levy of \$70,422,870.

Based on the amount of taxes to be raised by property taxation determined by each governmental entity set forth in the "Maricopa County 2007 Tax Levy Packet", the Maricopa County Board of Supervisors has calculated the numerical tax rates necessary to raise the requested revenues, and pursuant to the direction of each such government entity, levies the amounts of taxes and sets the resulting tax rates, all as set forth in the "Maricopa County 2007 Tax Levy Packet", and

As required by statute the Maricopa County Board of Supervisors has calculated, and therefore levies the amount of taxes and sets the resulting tax rates for specific statutory purposes as set forth in the "Maricopa County 2007 Tax Levy Packet". The Maricopa County 2007 Tax Levy Packet is on file in the Clerk of the Board's office.

Pursuant to A.R.S. §42-18003, the Maricopa County Treasurer is directed to collect taxes as required by law from the persons listed on the tax roll.

**STREET LIGHTING IMPROVEMENT DISTRICT SECONDARY ROLL TAX RATES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to resolve that pursuant to A.R.S. § 48-955, and based on the budget duly adopted for each of the Maricopa County Street Lighting Improvement Districts, the Board of Supervisors fixes and determines the Tax Year 2007 tax rate for each Maricopa County Street Lighting Improvement District as follows:

- Fiscal Year 2007-08 Street Lighting Improvement District Secondary Roll Tax Rates and corresponding levies.

The Maricopa County 2007 Tax Levy Packet is on file in the Clerk of the Board's office. (C4908011800) (ADM1815)

**~ Supervisor Wilcox left the meeting and would not return ~**

**BRING BACK BLUE CLEAN AIR INITIATIVE**

Item: Continue discussion from August 6, 2007 meeting of Project Scope and Budget for Phase II of the Bring Back Blue Clear Air Initiative.

Holly Ward, Community and Media Relations Manager, Air Quality Department  
John Godec, Godec, Randall and Associates

Holly Ward began the presentation by recapping the activities that took place in Phase I of the Bring Back Blue Campaign. In 2006, the Maricopa Air Quality Department conducted research to determine the level of awareness among the citizens of Maricopa County regarding air quality issues. The research showed

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that the public really had little or no awareness about air quality issues, so the Bring Back Blue Campaign was created.

Ms. Ward explained that the primary target of the campaign has been residents of Maricopa County, both general market and Hispanic audiences, ages 18-54. The secondary target market includes government agencies, businesses and educational institutions. In January of 2007, the Board held a press conference to formally announce the debut of the campaign. Ms. Ward related that active advertising ran from January to March during Phase I of the campaign, which is the prime season for particulate pollution.

At the end of March 2007, a survey was conducted to assess the impact of the campaign. The survey indicated that air quality and pollution had become the number one environmental concern among Maricopa County residents, showing that the Bring Back Blue Clean Air Initiative had increased awareness about air quality issues. Ms. Ward revealed that the BringBackBlue.org website received 288,122 hits between January and March, and 2,287 of the website users took the pledge to reduce pollution.

Looking forward to Phase II of the campaign, scheduled to begin in November 2007, Ms. Ward said they intend to renew the rights for the radio and television commercials that were created for Phase I. Other plans for Phase II include updating print ads, the production of an educational outreach video aimed at high school students, and a "Film Festival" contest that will challenge students to create an ad that might ultimately be used in the campaign.

Another area of focus for Phase II is expansion of the website to include more content and interaction, as well as the establishment of a Bring Back Blue blog. Ms. Ward disclosed that the Phoenix Suns organization has approached the County with a co-promotion offer that includes commercial ad time during Phoenix Suns games, promotional mentions in Suns broadcasts, a "Take the Pledge Promotion" to win a hybrid Toyota Prius, and other promotional activities.

Ms. Ward asked the Board for their comments and suggestions. Chairman Brock expressed his excitement over the possibility of changing attitudes and ideas. Supervisor Stapley commented that he would like to see more focus on tailpipe emissions, as it is the largest component of the air quality problem in Maricopa County.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the project scope for Phase II of the Bring Back Blue Clean Air Initiative. (C8508001M01) (ADM2375)

**CAPITOL MALL CENTENNIAL PLAN**

Item: Presentation on the Capitol Mall Centennial Plan. (C4407009000) (ADM105)

Joy Rich, Assistant County Manager

Martin L. Shultz, Vice President, Government Relations, Pinnacle Capital Corp./APS and Chairman, Phoenix Community Alliance Capitol Mall Committee

Steve Gervais, Senior Public Affairs Representative, Government Affairs Department, Pinnacle West Capital Corp.

Darren Petrucci, Director, School of Architecture and Landscape Architecture, College of Design, Arizona State University

The Chairman announced that this item would be continued to a future meeting.

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**REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003) No Staff updates on regional schools operations and finances occurred at this meeting. (ADM3814-005)

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) regarding action on the following vouchers:

Ratify Voucher #6050	\$5,850.82
Ratify Voucher #6051	\$154,685.87
Ratify Voucher #7003	\$60,145.85

**EXECUTIVE SESSION**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider items listed on the Executive Agenda, pursuant to listed statutory authority, as follows.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)**

**Compromise Cases** – Barbara Caldwell, Outside Counsel  
Smith, Randy  
Takai, Mary

**PERSONNEL MATTERS – PROMOTION, DEMOTION, SALARY, ETC. – ARS §38-431.03(A)(1)**

**Chief Deputy County Assessor, Salary Consideration**

Keith Russell, County Assessor  
Sandi Wilson, Deputy County Manager  
Shawn Nau, Director, General Government

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) AND (A)(4)**

**AHCCCS – Outlier Claims**

Sandi Wilson, Deputy County Manager  
Shawn Nau, Director, General Government

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Christopher Keller, Chief Counsel, Civil Division  
Martin Demos, Deputy County Attorney

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §§38-431.03(A)(3), 38-431.03(A)(4) and 38-431.03(A)(7)**

**Consideration to purchase Mesa Property near SE Court Complex**

Sandi Wilson, Deputy County Manager  
Tom Manos, Chief Financial Officer  
Steve Conner, Director, Facilities Management, **did not attend**  
Dennis Lindsey, Manager, Real Estate Services  
William Riske, Deputy County Attorney

**Possible Disposition of County Property in Mesa**

Tom Manos, Chief Financial Officer  
Steve Conner, Director, Facilities Management, **did not attend**  
Dennis Lindsey, Manager, Real Estate Services  
William Riske, Deputy County Attorney

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) and (A)(4)**

**Chandler Fire Service IGA**

Richard Bohan, Legislative Liaison  
Peter Crowley, Risk Manager, or designee  
Kevin Costello, Deputy County Attorney

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §§38-431.03(A)(3), 38-431.03(A)(4) and 38-431.03(A)(7)**

**Concession Agreement for Facilities and Booking Management of Maricopa County Events Center**

Wes Baysinger, Director, Materials Management  
Peter Crowley, Director, Risk Management  
William Scalzo, Assistant County Manager  
Julie Schweigert, Stadium Assistant Director  
Karen Stewart, Management Analyst  
Otis Smith, Deputy County Attorney  
Kevin Costello, Deputy County Attorney

**MEETING ADJOURNED**

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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/s/ Fulton Brock, Chairman of the Board

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/s/ Fran McCarroll, Clerk of the Board